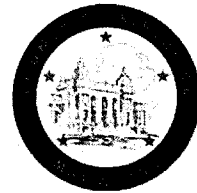


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.17
(ID # 10568)

MEETING DATE:

Tuesday, September 10, 2019

FROM: ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Ratification and Approval of Addendum #1 to the Agreement Between the County of Riverside and the Perris Union School District for the Joint Use of Facilities at Heritage High School, 1 Year, CEQA Exempt, District 5, [\$56,937] County Library Fund 100% (Clerk of the Board to file Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities and Section 15061(b)(3) "common sense" exemptions;
2. Ratify and approve the attached Addendum #1 to the Agreement Between the County of Riverside and the Perris Union School District for the Joint Use of Facilities at Heritage High School and authorize the Chairman of the Board to execute the same on behalf of the County; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) days of approval by the Board.

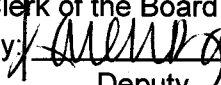
ACTION:Policy

Robert Field, Assistant County Executive Officer/ECD 8/8/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Perez and Hewitt
Nays: None
Absent: Washington
Date: September 10, 2019
xc: EDA

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$56,937	\$0	\$56,937	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: County Library Fund 100%			Budget Adjustment: No	
			For Fiscal Year: 2019/2020	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Library System (County Library) provides public library services to the Romoland Community through a joint use agreement with the Perris Union High School District. County Library provides these library services at the building located at 26000 Briggs Road, Menifee, California. This facility is operated as a joint-use facility in conjunction with the Perris Union High School District. On-going library operations and oversight are arranged by the Library Administrator.

This Approval of Addendum #1 to the Agreement represents a request from County Library to extend the lease for its Heritage High School Library commencing on July 1, 2019 through June 30, 2020.

Pursuant to the California Environmental Quality Act (CEQA), the Agreement was reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines 15301, Class 1 – Existing Facilities and Section 15061(b)(3) “Common Sense” exemption. The proposed project, the Agreement, is the joint use of property involving existing facilities and no expansion of an existing use will occur.

The attached Agreement is summarized below:

Lessee's Address: Perris Union High School District
155 East Fourth Street
Perris, California 92530

Location: 26000 Briggs Road
Romoland, California

Square Footage: 6,292

Term: July 1, 2019, through June 30, 2020

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Rent:	Current	New
	\$ 0.69 per sq. ft.	\$ 0.72 per sq. ft.
	\$ 4,340.16 per month	\$ 4,522.27 per month
	\$52,081.92 per year	\$54,267.24 per year

Rental Adjustments: None

Utilities: District is responsible, included in the rent

Custodial: District is responsible, included in the rent

Maintenance: District is responsible, included in the rent

The attached Agreement has been approved as to form by County Counsel.

Impact on Residents and Businesses

There will be a positive impact on residents and local businesses since this facility provides, among other programs, adult literacy services to the communities through one-on-one literacy tutoring, English-as-a- Second Language classes and family literacy events. In general, this facility provides exciting and innovating programs and services to the community.

SUPPLEMENTAL:

There are no additional net County costs associated with this project and no budget adjustment is required.

Attachments:

- Exhibit A
- Addendum #1 to the Agreement Between the County of Riverside and the Perris Union School District for the Joint Use of Facilities at Heritage High School
- Notice of Exemption

RF:HM:VY:SG:MH:jb RL003 20.715
Minute Traq ID: 10568

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA


Rohini Dasika, Principal Management Analyst 8/29/2019


Gregory L. Priamos, Director County Counsel 8/23/2019

Exhibit A

FY 2019/20

Perris Union High School District-Heritage High School

26000 Briggs Road, Menifee, Ca 92585

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

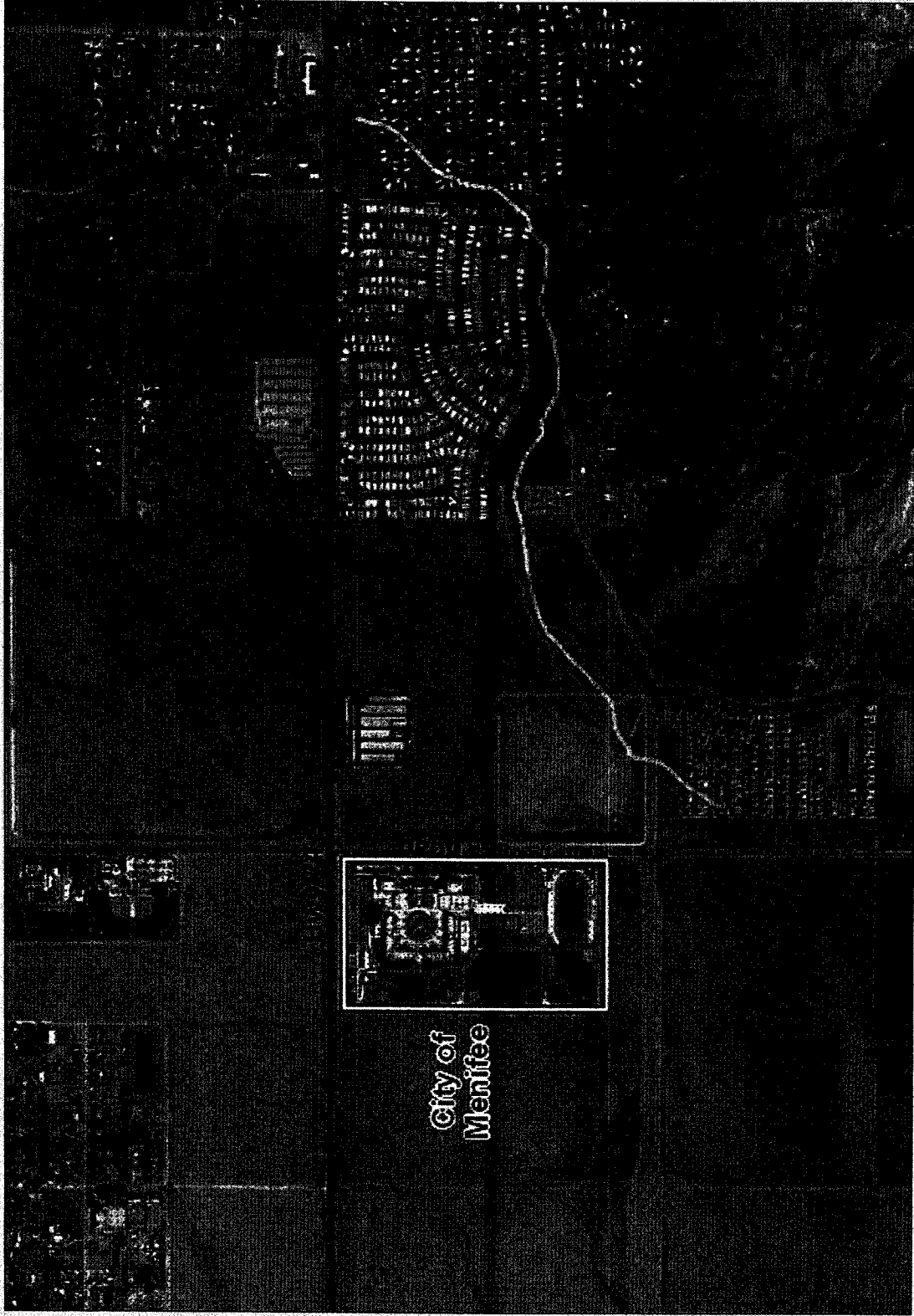
Current Office:	6,292 SQFT	
Approximate Cost per SQFT (Jul-Jun)	\$ 0.72	
Lease Cost per Month (Jul-Jun)	\$ 4,522.27	
Total Lease Cost (Jul-Jun)		\$ 54,267.24
Total Estimated Lease Cost for FY 2019/20		\$ 54,267.24

Estimated Additional Costs:

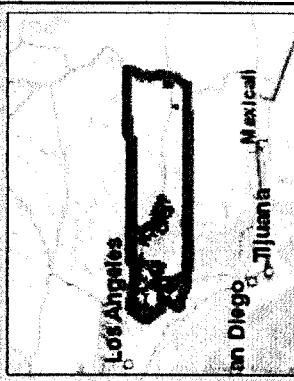
EDA Lease Management Fee as of 07/01/2019	4.92%	\$ 2,669.95
TOTAL ESTIMATED COST FOR FY 2019/20		\$ 56,937.19
Amount in FY 2019/20 for New Amendment		\$ 56,937.19
TOTAL COUNTY COST	0%	\$ -

Perris Unified School District

Heritage High School



City of
Menifee



Legend

- Blue line Streams
- City Areas
- World Street Map

Notes
26000 Briggs road, Menifee, CA

"IMPORTANT* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...5/13/2019 4:21:54 PM

© Riverside County GIS



Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

9/11/19
Date

KB
Initial

NOTICE OF EXEMPTION

July 16, 2019

Project Name: County of Riverside, Economic Development Agency (EDA) Heritage High School Library Joint Use Agreement with Perris Union High School District – Menifee, County of Riverside

Project Number: FM042612000300

Project Location: 26000 Briggs Road, south of State Highway 74, Menifee, California 92584; Assessor’s Parcel Number (APN) 331-300-012; (See Attached Exhibit)

Description of Project: The County Library is operated as a joint-use facility in conjunction with the Perris Union High School District and provides public library services to the Romoland Community through a joint use agreement. The County provides these library services at the building located at 26000 Briggs Road, Menifee, California. The parties entered into a new agreement on July 1, 2017 to extend the term until June 30, 2019. The parties now desire to amend the Agreement and renew the 2017 Agreement for an additional year, extending the termination date to June 30, 2020. Addendum No. 1 to the Joint Use Agreement is identified as the proposed project under the California Environmental Quality Act (CEQA). The term of the agreement will be extended for an additional year. The proposed project would involve the continuation of the use of library space and would involve ongoing maintenance and repair of the facilities. No expansion of the existing library will occur. The operation of the facility will continue to provide library services and no additional direct or indirect physical environmental impacts are anticipated.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency, and Perris Union High School District

Exempt Status: State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or “Common Sense” Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301.

Reasons Why Project is Exempt: The proposed project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor does the project have unusual circumstances that could possibility have a significant effect on the environment. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the Addendum No. 1 to the Joint Use Agreement for the use and operation of the Heritage High School Library.

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- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site's use. The project, as proposed, is limited to an Addendum to the Joint Use Agreement to an existing facility and would include the continued maintenance and repairs of the facility to keep the library functional. The use of the facility by the County would be consistent with the current land use, and would not require any expansion of public services and facilities; therefore, the project is exempt as the project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The proposed Addendum No. 1 to the Joint Use Agreement is limited to a contractual transaction to continue use of an existing facility. The indirect effects would be limited to existing maintenance and use of an existing building containing a library. The Addendum No. 1 to the Joint Use Agreement will not result in any direct or indirect physical environmental impacts. The use and operation of the facility will not differ from the existing use and will not create any new environmental impacts to the surrounding area. No impacts beyond the minor maintenance and continued use of the facility would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:  Date: 7/16/19

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

**Project Name: Heritage High School Library Addendum No. 1 to the Joint Use Agreement
with Perris Union High School District, Menifee, Riverside County, California**

Accounting String: 524830-47220-7200400000 - FM042612000300

DATE: July 16, 2019

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND
HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic
Development Agency

Signature: _____



PRESENTED BY: Maribel Hyer, Senior Real Property Agent, Economic Development
Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



Date: July 16, 2019

To: Kiyomi Moore/Josefina Castillo, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: County of Riverside Economic Development Agency Project # FM042612000300
Heritage High School Library, Addendum No. 1 to the Joint Use Agreement with Perris Union High School District, Menifee, Riverside County, California

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009 or email at msullivan@rivco.org.

Attachment

cc: file

**ADDENDUM NO. 1 TO THE
AGREEMENT BETWEEN THE
COUNTY OF RIVERSIDE AND
THE PERRIS UNION HIGH
SCHOOL DISTRICT FOR THE
JOINT USE OF FACILITIES AT
HERITAGE HIGH SCHOOL**

This ADDENDUM NO. 1 TO THE JOINT USE OF FACILITIES AGREEMENT (“Addendum”) is made and entered between the County of Riverside of the State of California, a political subdivision of the State of California (“County”), and the Perris Union High School District of California, a California public school district (District”). The date last executed by the parties is the Effective Date.

WHEREAS, Section 17077.40 of the Education Code of the State of California authorizes a school district to enter into a contract with the County or other appropriate entity having responsibility for the provision of public library services in which the school district is located, for the purposes of operating a joint-use library facility at a school site owned by the school district; and

WHEREAS the County and the District initially entered into a Joint Use Agreement on July 1, 2007 (the “Original Joint Use Agreement”) after a determination that through cooperative efforts the best library services could be provided with a combined pooling of public resources. Subsequently, the County and District entered into an Agreement dated July 1, 2017 (“2017 Agreement”) for the purpose of granting to the County, an exclusive right Library, and its Library Patrons to enter upon occupy, use and operate said Library Facilities (“Use) during County Library Hours as specified by the School District and County Library; and

WHEREAS, a need for library facilities and services continues to exist in the Community of Menifee; and

WHEREAS the parties now wish to amend the 2017 Agreement to update costs and renew for an additional year.

NOW, THEREFORE, the parties agree as follows:

SEP 10 2019

3.17

1. Section 5.1 in the 2017 Agreement, entitled “TERM OF AGREEMENT” is revised as follows: The term of this Addendum shall be from July 1, 2019 to June 30, 2020 (“First Annual Renewal”).
2. Section 5.10. in the 2017 Agreement is revised as follows:
“Use Fee, Operation Expense, Maintenance, and Repair Except as herein provided, the District agrees to operate, maintain, and repair, at its expense, the Library Facilities in its condition as it exists upon completion of construction or such Facilities, or a functional equivalent of their condition as it exists upon completion of construction, normal wear, and tear excepted. County agrees to pay **\$4,522.27 per month** for facilities use, including Custodial services, Maintenance Worker services, HVAC Tech services, and utilities during the term of the Agreement. The use fee shall be adjusted by the District to reflect current rates for each of the two (2) remaining potential renewal terms. Exhibit “B” is a calculation justifying use fees.”
3. Exhibit B incorporated into the 2017 Agreement is revised as attached to reflect the change in costs for the term of this Addendum and is attached and incorporated into this Addendum below as Exhibit B.
4. The parties agree that all terms, conditions, and obligations of the 2017 Agreement remain in effect throughout the First Annual Renewal term except for those provisions of the 2017 Agreement that are directly contradicted by this Addendum, in which event the terms of this Addendum shall control over the 2017 Agreement.
5. Severability-If any part or parts of this extension shall be held unenforceable for any reason, the remainder of the extension shall continue in full force and effect.

IN WITNESS THEREOF, the County and the District have executed this Addendum thereby indicating they have read and understood the same, and indicate their full and complete consent to its terms.

SIGNATURE PAGE TO FOLLOW

LESSEE:

County of Riverside

A political subdivision of the

State of California

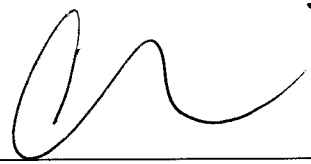
By: 

Kevin Jeffries, Charman

Board of Supervisors

LESSOR:

Perris Union High School District

By: 

Candace Reines

Deputy Superintendent, Business Services

ATTEST:

Kecia R. Harper

Clerk of the Board

By: 

Deputy

Approved as to Form:

Gregory P Priamos

County Counsel

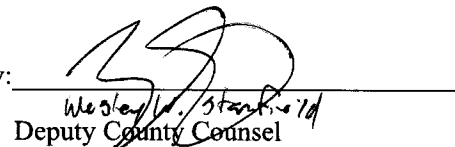
By: 
Wesley A. Stankard
Deputy County Counsel

EXHIBIT B

Use of Facility Fee Calculation for Operation, Maintenance and Repair (section 5.10 of contract)
Basic Assumptions pertaining to the calculation of the use Fee:

1. Hours of County operation are scheduled as follows:

Day	Hours of Operation
Monday-Thursday	3:00 p.m. – 7:00 p.m.
Friday Closed	
Saturday	10:00 a.m. – 2:00 p.m.
Sunday Closed	

2. It is assumed the library will be open every Saturday during the year, except Saturdays that fall on a holiday. There are approximately 52 Saturdays in each year. Whereas, holidays occasionally fall on a Saturday, the calculation will be adjusted to approximate this at 50 Saturdays per year.

3. Maintenance and HVAC work is assumed to be completed during regular working hours and therefore will be calculated at the straight time rate of approximately 4 hours per month or 48 hours per year for maintenance and approximately 4 hours per month or 48 hours per year for HVAC work.

4. Maintenance and custodial material burden is estimated to be \$150 per month.

5. Energy costs are based on an estimate for the 5,373 square feet (includes the 308 sq. ft. reduction for site use) for County-utilized area of the library building at Heritage High School. Energy consumption studies performed within the District on comparable buildings have indicated an approximate energy cost of \$32 per hour.

6. The District will incur additional energy consumption due to the operations of the public following the close of school each day at an average of 22 hours per week equaling 1,144 hours per year.

EXHIBIT B (continued)

For the 2019-20 Calculation of Labor Rates to Apply to Use Fee:

Position	2019-20 Hourly Rate Inc Fixed Costs and H&W
Custodian	\$38.00
Maintenance Worker	\$47.77
HVAC Technician	\$45.13

Baseline Calculation for the Monthly User Fee:

Description of Cost Item	Labor Hours per Month	Total Hours per Year	Hourly Rate Including Fixed Costs and H&W	Other Costs	Total Cost Per Year
Custodial Svcs	25	300	\$38.00	N/A	\$11,400.00
Maintenance Svcs	4	48	\$47.77	N/A	\$2,292.96
HVAC Svcs	4	48	\$45.13	N/A	\$2,166.24
Materials Burden	N/A	N/A	N/A	\$1,800	\$1,800
Energy Burden	N/A	1,144	N/A	\$32	\$36,608
Total Annual Cost					\$54,267.20
Total Monthly Cost					\$4,522.27